

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELLE NGUYEN, *et al.*,

CASE NO. 2:24-cv-01990-RSL

Plaintiffs,

V.

## MERCER ISLAND BOYS BASKETBALL BOOSTER CLUB.

## ORDER

Defendant.

This matter comes before the Court on plaintiffs' second motion for appointment of counsel. Dkt. # 62. The motion is denied. Ms. Nguyen's evidence of a medical crisis that impairs her ability to represent herself and her children is unpersuasive, consisting of no more than evidence that she has been seen by doctors on certain dates. Her ability to reason, write, and articulate arguments in the legal setting does not appear to be lacking in any way, *see* Dkt. # 57, and introducing a new attorney at this point in the litigation would have an adverse and significant impact on the efficient and prompt resolution of this case.

## ORDER - 1

1 The circumstances of this case are not extraordinary and do not warrant appointment of  
2 counsel.<sup>1</sup>

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4 DATED this 14th day of May, 2025.

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7 Robert S. Lasnik  
8 United States District Judge

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1 The Ninth Circuit advised in *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009):

23 Generally, a person has no right to counsel in civil actions. See *Storseth v. Spellman*, 654 F.2d 1349,  
24 1353 (9th Cir. 1981). However, a court may under “exceptional circumstances” appoint counsel for  
25 indigent civil litigants pursuant to 28 U.S.C. § 1915(e)(1). *Agyeman v. Corrs. Corp. of Am.*, 390  
26 F.3d 1101, 1103 (9th Cir. 2004). When determining whether “exceptional circumstances” exist, a  
court must consider “the likelihood of success on the merits as well as the ability of the petitioner to  
articulate his claims pro se in light of the complexity of the legal issues involved.” *Weygandt v.*  
*Look*, 718 F.2d 952, 954 (9th Cir. 1983). Neither of these considerations is dispositive and instead  
must be viewed together. *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986).